

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	CHAPTER 13
RICHARD MARK HOAGLAND	:	
	:	
Debtor	:	BANKRUPTCY NO. 19-13910-MDC

**DEBTOR'S RESPONSE TO MOTION OF BANK OF NEW YORK MELLON as trustee
FOR RELIEF**

Debtor, by and through Joseph F. Claffy, Esquire, his attorney, contests the Motion for Relief sought by Bank of New York Mellon as trustee, and in support thereof avers the following:

1. Denied. Respondent knows nothing of the corporate structure of movant nor its relationship to the mortgage in quo and therefore must deny the allegation.

2. Admitted.

3. Denied in part; Admitted in part. Admitted that there is a mortgage. As to the ownership thereof, respondent must deny such demanding strict proof.

4. Denied. Respondent can only answer for himself and not for an unnamed, unserved co-debtor. Respondent has no knowledge of the liability or existence of the co-debtor and must deny the allegation,

5. Denied. The interpretation of the lien in "first priority" is a misuse of the term "priority" and therefore debtor must deny that the lien is a priority lien.

6. Denied. The paragraph states that Carrington Services the loan. Respondent does not know who services the loan as it has been assigned. Therefore that part of the allegation is denied. The remainder of the allegation proclaims what movant will do in the future; movant is free to do all things legal in the future, with or without denial or admission.

7. Admitted.

8. Denied. Debtor has tendered payments and for unknown reasons they have not been accepted or applied.

9. Denied. Movant had no cause for the motion and therefore should pay its own fees.

10. Denied. Respondent has no knowledge of the genesis of the alleged amount due and therefore must deny same demanding strict detailed proof or at least a detailed demand of the charges.

11. Admitted.

12. Denied as a conclusion of law.

13. Admitted.

14. Denied as a request for future declaratory relief for a non justiciable issue.

WHEREFORE, debtor requests the court deny the motion.

Respectfully submitted:

/s/ Joseph F. Claffy
Joseph F. Claffy
Attorney for Debtor I.D. No. 35142
26 South Church Street
West Chester, PA 19382
610 429-0900